

REMARKS

Claims 1-5, 9-12, and 15-18 were previously cancelled. Claims 14 and 22 are cancelled herein and claims 6 and 7 are amended. Claims 6-8, 13, 19-21 and 23 are therefore presently pending in this application. The amendments made herein are fully supported by the original claims and specification. No new matter has been added herein. Applicants therefore respectfully request that the amendments be entered at this time.

Claims 6 and 20-23 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claim 6 to delete the term "desired." In view of this amendment, Applicants therefore respectfully request that this rejection be withdrawn.

Claims 6-8, 13, 20, 21, and 23 were rejected under 35 U.S.C. 102(b) as being anticipated by Gysler (as recited in the previous Office Action). Claims 6-8, 13, 20, 21, and 23 were rejected under 35 U.S.C. 102(e) as being anticipated by Takano (as recited in the previous Office Action).

The Examiner acknowledges that claims 14 and 19 are free from the prior art and would be allowable if rewritten in independent form.

In an effort to expedite the allowance of this application, Applicants have cancelled claim 14 and amended independent claim 7 to include the accession numbers of claim 14. Claims 8 and 13 are dependent on claim 7. Claim 19 is already in independent form.

Applicants have also cancelled claim 22 and amended independent claim 6 to include the accession numbers of the baker's yeast. Claims 20-21 and 23 are dependent on claim 6. In view of this amendment, Applicants therefore respectfully request that this rejection be withdrawn.

In view of these amendments, the entire application is now believed to be in condition for allowance, early notice of which would be appreciated. Should the Examiner have any remaining issues, Applicants respectfully request that the Examiner contact their legal representatives.

Respectfully submitted,

2/4/05
Date


Rodney J. Fuller (Reg. No. 46,714)
For: Allan A. Fanucci (Reg. No. 30,256)

WINSTON & STRAWN LLP
Customer Number: 28765

(202) 371-5838